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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANTHONY GALLEY, Deceased, by and through
his Co-Successors in Interest, P.P. and B.P.,
minors, through their mother and Next Friend,
Christina O'Neil, Individually and as Co-
Successors in Interest for ANTHONY GALLEY,
Deceased,

Plaintiffs,
vs.

COUNTY OF SACRAMENTO, a public entity;
FORMER SACRAMENTO COUNTY SHERIFF
SCOTT R. JONES, in his individual capacity; Jail
Commander ANTHONY PAONESSA, Jail
Medical Director VEER BABU, M.D., ERICA
WOODS, R.N., and DOES 1–20; individually,
jointly, and severally,

Case No. 2:23-cv-00325-WBS-JC

**PLAINTIFFS' REQUEST AND
ORDER TO SEAL DOCUMENTS**

Judge: Hon. William B. Shubb

Complaint Filed: February 23, 2023

Pursuant to Local Rule 141, Plaintiffs hereby submit this Request to Seal Documents (“Request”) asking the Court to seal the following documents: “Co-Successor in Interest Declaration of Plaintiff B.P.” (Doc. 7) and “Co-Successor in Interest Declaration of Plaintiff B.P.” (Doc. 8).¹ Those declarations contain personal identifying information that must be redacted or filed under seal pursuant to Fed. R. Civ. P. 5.2(a) and 5.2(d). Specifically, the declarations include the full names of minor Plaintiffs P.P. and B.P., and the full social security number and birth date of Plaintiff Anthony Galley (deceased).

Plaintiffs filed those declarations pursuant to state law², which requires: (1) that persons seeking to commence a survival action file a declaration stating, among other things, that they are the decedent’s successor in interest; and (2) that a certified copy of the decedent’s death certificate be attached to that declaration. Cal. Code Civ. Proc. 377.32(a)-(c).

However, Fed. R. Civ. P. 5.2(a) states that in federal court filings, a minor’s name may include only the minor’s initials; a birth date may include only the year of the individual’s birth; and a social security number may include only the last four digits. Plaintiffs inadvertently filed the Docs. 7 and 8 without redacting that information or, alternatively, requesting to file the documents under seal pursuant to Fed. R. Civ. P. 5.2(d).

Accordingly, Plaintiffs respectfully request that the Court grant this Request and order that the Co-Successor in Interest Declaration of Plaintiff B.P. (Doc. 7) and Co-Successor in Interest Declaration of Plaintiff P.P. (Doc. 8) be filed under seal.

A Notice of Request to Seal Documents pertaining to this Request was filed electronically on March 2, 2023. This Request, the above-referenced co-successor declarations, and the accompanying Proposed Order were provided to the Court by email pursuant to Local Rule 141. Defendants have not yet been served in this action.

¹ Pursuant to Local Rule 141(b), Plaintiffs submit with this Request copies of the documents covered by the Request. However, as indicated in this Request, those documents were already inadvertently filed without redaction or a request to seal. (See Docs. 7 and 8). Plaintiffs therefore request that this Court order that Docket Nos. 7 and 8 be filed under seal.

² Standing for Plaintiffs’ 1983 survival claims is governed by state law. 42 U.S.C. § 1988(a); *Mooreland v. Las Vegas Metro. Police Dep’t*, 159 F.3d 365, 369 (9th Cir. 1988).

1 Dated: March 2, 2023

HADDAD & SHERWIN LLP

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3 */s/ Brian Hawkinson*

4 BRIAN HAWKINSON
5 Attorneys for Plaintiffs
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ORDER

Pursuant to Plaintiffs' Request to Seal Documents, IT IS HEREBY ORDERED that the following documents be filed under seal:

- Co-Successor in Interest Declaration of Plaintiff B.P. (Doc. 7)
- Co-Successor in interest Declaration of Plaintiff P.P. (Doc. 8)

IT IS SO ORDERED.

Dated: March 10, 2023



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE